

## REMARKS

Applicants appreciate the continued thorough examination of the present application by Examiner Dickey, and the new citation of U.S. Patent 5,428,237 to Yuzurihara et al. Applicants also appreciate the Examiner's indication that Claims 2, 6, 7 and 14-16 would be allowable if rewritten in independent form. However, these claims have not been rewritten in independent form to place them in condition for allowance. Rather, independent Claims 1 and 13 have been amended as was suggested by the Examiner in the Detailed Action, in order to further clarify the patentable distinctions over Yuzurihara et al.

In particular, both Claims 1 and 13 have been amended to recite:

a punch-through stop layer that is confined to within the opening between the portions of the device isolation layer....  
(Emphasis added.)

The Official Action notes with respect to Claim 1 (at Page 3), that Yuzurihara et al. discloses:

...a punch-through stop-layer 1013 in the opening between the portions (note, figure 20, that only a part of punch-through stop-layer 1013 is between the portions; this arrangement is not prohibited by claim 1) of the device isolation layer 1026...

The Official Action used the same language with respect to Claim 13 at Page 4.

The Examiner is correct that Yuzurihara et al.'s layer 1013 extends in the opening, but also extends well beneath and beyond the opening. Accordingly, Claims 1 and 13 have been amended to clearly recite that the punch-through stop layer is confined to within the opening. Support for this recitation may be found, for example, in Figures 2B and 5-8 of the present application, where the punch-through stop layer 62/62a is confined to within the opening between the portions 56 of the device isolation layer. Since Yuzurihara et al. clearly teaches away from a punch-through stop layer that is confined to within the opening of the portions of the device isolation layer, Claims 1 and 13 are clearly patentable over Yuzurihara et al.

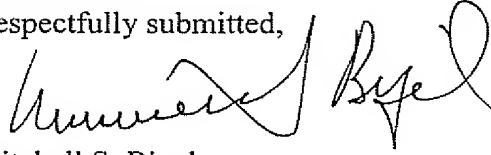
Applicants again note, with appreciation, that dependent Claims 2, 6, 7 and 14-16 were also deemed to be independently patentable over Yuzurihara et al.

In view of the above, Applicants respectfully submit that the present application is in condition for allowance, which is respectfully requested. However, if the Examiner deems that additional minor modifications to the claim language are

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advisable to clarify the relationship of the punch-through stop layer and the device isolation layer, the Examiner is encouraged to contact the undersigned, due to the excellent working relationship with the Examiner.

Respectfully submitted,

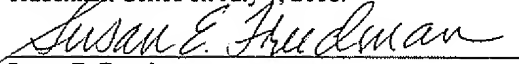


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Susan E. Freedman  
Date of Signature: July 7, 2006